

A BILL

To

Amend The Hong Kong University of Science and Technology Ordinance,
to—

- (a) include a definition of “Provost” and provide for the appointment and removal of a Provost by The Hong Kong University of Science and Technology;
- (b) preclude the University’s Council from delegating to a committee or the President the power to—
 - (i) appoint and remove the Provost; or
 - (ii) approve the duties to be undertaken by the Provost;
- (c) reduce the maximum number of the University’s Council members;
- (d) change the composition of the University’s Council; and
- (e) make consequential and related amendments.

Enacted by the Legislative Council.

1. Short title

This Ordinance may be cited as The Hong Kong University of Science and Technology (Amendment) Ordinance 2008.

2. Commencement

This Ordinance shall come into operation on 1 September 2009.

3. Interpretation

Section 2 of The Hong Kong University of Science and Technology Ordinance (Cap. 1141) is amended by repealing the definition of “President” and “Vice-Presidents” and substituting—

““President” (校長), “Provost” (首席副校長) and “Vice-Presidents” (副校長) respectively mean the President, Provost and Vice-Presidents of the University;”.

4. Membership of the Council

(1) Section 9(1) is amended—

(a) by adding—

“(aa) the Provost;”;

(b) by repealing paragraph (b) and substituting—

“(b) 1 Vice-President who shall be appointed by the Council by rotation among the Vice-Presidents;”;

(c) by repealing paragraph (c) and substituting—

“(c) 2 members who shall be appointed by the Council by rotation among the Deans of Faculties and Schools and the Dean of Undergraduate Education;”;

(d) by repealing paragraph (e);

(e) by repealing paragraph (f) and substituting—

“(f) not more than 2 academic members of the Senate who shall be nominated by the Senate and appointed by the Council;”;

(f) by repealing paragraph (g) and substituting—

“(g) not more than 17 members, who shall not be employees or students of the University, of whom—

(i) not less than 10 shall have experience in commerce or industry in Hong Kong and not more than 5 shall be from other tertiary institutions in or outside Hong Kong;

(ii) not more than 9 shall be appointed by the Chancellor; and

(iii) not more than 8 shall be appointed by the Chancellor on the recommendation of the Council;

(h) 1 member who shall be elected by and from full-time employees of the University and appointed by the Council; and

(i) 1 member who shall be elected by and from full-time students of the University and appointed by the Council.”.

(2) Section 9(3)(a) is repealed.

5. Committees of the Council

Section 11(4)(d) is repealed and the following substituted—

“(d) to appoint or remove from office the President, the Provost or any Vice-President under section 12, or to approve the duties to be undertaken by the Provost or any Vice-President under that section.”.

6. Part heading amended

The heading of Part V is amended by adding “PROVOST,” after “PRESIDENT,”.

7. Appointment of President, Vice-Presidents and other staff

(1) The heading of section 12 is amended by adding “**Provost,**” after “**President,**”.

(2) Section 12(1)(b) is amended by adding “1 Provost and” after “appoint”.

(3) Section 12(2)(c) is amended by repealing “section 9(1)(a), (b), (c) or (f)” and substituting “section 9(1)(a), (aa), (b), (c), (f), (h) or (i)”.

(4) Section 12(3)(a) is amended by adding “Provost and the” before “Vice-Presidents”.

(5) Section 12(3)(b) is amended by repealing “A Vice-President” and substituting “The Provost or a Vice-President”.

(6) Section 12(3)(c) is amended by repealing “section 9(1)(b), (c) or (f)” and substituting “section 9(1)(aa), (b), (c), (f), (h) or (i)”.

(7) Section 12(4)(b) is repealed and the following substituted—

“(b) The Council may appoint any person to act as the Provost or as a Vice-President on a temporary basis during the incapacity or absence from Hong Kong of the Provost or any Vice-President, as the case may be, or if the office of the Provost or any Vice-President, as the case may be, is vacant for any reason.”.

8. Power of Council to delegate to President

Section 13(2)(d) is amended by adding “the Provost or” before “any Vice-President”.

Explanatory Memorandum

The purpose of this Bill is to amend The Hong Kong University of Science and Technology Ordinance (Cap. 1141) (“the Ordinance”)—

- (a) to introduce the new position of “Provost” in the senior management structure of The Hong Kong University of Science and Technology and to provide for the appointment and removal of a Provost by the University;
- (b) to preclude the University’s Council from delegating to a committee or the President the power to—
 - (i) appoint and remove the Provost; or
 - (ii) approve the duties to be undertaken by the Provost;
- (c) to reduce the maximum number of the University’s Council members from 34 to 27;
- (d) to change the composition of the University’s Council, and in particular to—
 - (i) include the Provost as a Council member;
 - (ii) limit the number of Vice-Presidents represented on the Council to 1;
 - (iii) limit the number of Deans represented on the Council to 2;
 - (iv) remove the requirement for the Council members to include not more than 3 public officers appointed by the Chief Executive;
 - (v) reduce the total number of academic members of the Senate represented on the Council from not more than 3 to not more than 2;
 - (vi) reduce the total number of external Council members from not more than 18 to not more than 17, by reducing the total number of external Council members appointed by the Chancellor on the recommendation of the Council from not more than 9 to not more than 8;
 - (vii) remove the restriction on public officers being appointed as external Council members;
 - (viii) confirm the current practice of excluding employees and students of the University from appointment as external Council members; and
 - (ix) make membership of the Council available to 1 full-time employee and 1 full-time student of the University; and
- (e) to make consequential and related amendments to the Ordinance.